

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**IN RE: NEW ENGLAND  
COMPOUNDING PHARMACY, INC.  
PRODUCTS LIABILITY LITIGATION**

**This Document Relates To:**

**All Cases**

**MDL No.: 1:13-md-2419-FDS**

**PLAINTIFFS' STEERING COMMITTEE'S MOTION FOR APPROVAL OF  
MEDIATION AGREEMENT AND GUIDELINES**

On August 15, 2013, this Court entered an Order on Mediation Program (the "Mediation Order"). On November 6, 2013, this Court appointed Resolutions, LLC as mediator. The Parties who will be participating in mediation have conferred and, at the request of the mediator, the Plaintiffs' Steering Committee ("PSC") has drafted a proposed "Mediation Agreement and Guidelines," attached as Exhibit 1 hereto, which sets forth certain further details and agreements for the Parties participating in mediation. The Mediation Agreement and Guidelines incorporate many of the terms of Resolution, LLC's standard form mediation agreement. The proposed Mediation Agreement and Guidelines have been approved by the mediator, the PSC, the Official Committee of the Unsecured Creditors, the Bankruptcy Trustee, and ARL BioPharma, Inc. Wherefore, the PSC requests entry of an order approving the proposed Mediation Agreement and Guidelines.

Respectfully Submitted,

/s/ Thomas M. Sobol

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*Plaintiffs' Steering Committee*

Dated: November 18, 2013

**CERTIFICATE OF SERVICE**

I, Thomas M. Sobol, hereby certify that I caused a copy of the above Plaintiffs' Steering Committee's Motion For Approval of Mediation Agreement Guidelines to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: November 18, 2013

/s/ Thomas M. Sobol  
Thomas M. Sobol